

LS 9911

OGC Has Reviewed

15 November 1954

MEMORANDUM FOR: DD/P-Administration

ATTENTION : [REDACTED] 25X1A9a

SUBJECT : Dependent's Travel - [REDACTED] 25X1A9a

REFERENCE : Memorandum from Chief, NEA Division, dated
22 October 1954, same subject

1. The reference requested that we review the facts set forth in the attachment and advise whether, under the circumstances presented, the travel of the subject individual's wife from [REDACTED] to the United States at this time may be authorized.

25X1A6a

25X1C4c

2. The attachment indicates that [REDACTED] has been assigned to the [REDACTED] Station for a period of two years and eight months, under SE Division jurisdiction; that he is presently at headquarters on TDY, under the [REDACTED], and SE orders; that he has been selected for assignment as Chief of Station, [REDACTED] that upon his transfer from SE to NEA he will undergo a period of training, departing for his new post via [REDACTED] on about 15 January 1955; that his transfer from [REDACTED] will be of the lateral type effected under [REDACTED] orders; and that soon after his arrival in [REDACTED] he will be eligible for home leave.

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25X1C4d

25X1A6a

25X1A6a

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25X1C4d

25X1A6a

3. It appears that the purpose of requesting the wife's return to the United States at this time is to move up [REDACTED] home leave and thus enable the Agency to make full use of his services at [REDACTED] without interruption for leave purposes next year.

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4. Since the authority to pay for a dependent's travel rests upon the nature of the employee's orders, it follows that without an amendment to [REDACTED] TDY orders, the travel of his wife may not be authorized. Under the circumstances, there remains for consideration the question of whether the Agency may amend [REDACTED] present orders to provide for home leave and the resulting travel of his wife. We think not.

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5. [REDACTED]

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[REDACTED] and in accordance with that department's regulations. While it would appear that this request should more properly be addressed to the [REDACTED] we have been advised that such action would in all

25X1C4d

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25X1A6a probability be unavailing because under [REDACTED] regulations completion of 25X1C4d
a three year tour at the [REDACTED] is a prerequisite for home leave
and the department has a firm policy against relaxing requirements of this
nature.

25X1A9a 6. Although it is our opinion that under current regulations the
25X1C4d Agency may not authorized the travel requested, we suggest that the possi-
bility be explored of having [REDACTED] TDY extended beyond the date when
he will qualify for home leave under [REDACTED] regulations. This, of course,
would enable him and his wife to spend leave in the United States prior to
undertaking his new assignment, while at the same time affording the Agency
the benefit of his services without an early interruption for leave purposes
next year.

7. The papers are returned.

25X1A9a
[REDACTED]

Office of General Counsel

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